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| Request for Reconsideration Address to: Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 | Attorney Docket No. | KINE-001CIP5 |
| | Confirmation No. | 5685 |
| | First Named Inventor | DEDHAR, SHOUKAT |
| | Application Number | 09/998,250 |
| | Filing Date | November 30, 2001 |
| | Group Art Unit | 1617 |
| | Examiner Name | Williams, Leonard M. |
| | Title: | "TREATMENT OF INFLAMMATORY DISEASES INCLUDING PSORIASIS" |

Sir:

Applicants respectfully request reconsideration of the dismissal of the petition filed on December 21, 2006 in the above identified patent application. The facts of the matter are as follows:

- A petition under 37 C.F.R. 1.144 was filed on December 21, 2006 in the instant application.
- An Appeal Brief was also filed in December 21, 2006 in the instant application.
- As noted in the Decision:

37 CFR 1.144 states in part, with emphasis added: "... Petition may be deferred until after final action on or allowance of claims to the invention elected, **but must be filed not later than appeal....**"

- The Appeal Brief and the Petition were filed on the same day.
- The Petition was therefore NOT filed later than the Appeal Brief, it was filed at the same time.
- Applicant's petition was dismissed as untimely.

Applicants respectfully submit that the petition was not untimely because it was not filed later than appeal, it was filed concurrently with appeal, and request that the petition be considered.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number KINE-001CIP5.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date: July 9, 2007

By:



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